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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,343	12/05/2003	Leonid Mark Tertitski		1342
7590 Leonid M. Tertitski 287 Belvue Drive Los Gatos, CA 95032		04/19/2007	EXAMINER BECKER, SHASHI KAMALA	
			ART UNIT	PAPER NUMBER
			2179	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/707,343

Applicant(s)

TERTITSKI ET AL.

Examiner

Shashi K. Becker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to: See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claimed limitation, "parent widget," in claim 14, has no antecedent basis.

Claim Objections

2. Claims 2-17 are objected to because of the following informalities: the claimed limitation "A method." Appropriate correction is required. Examiner suggests replacing "A method" with "The method" since they already dependent on the introduced method in claim 1.

3. Claims 1, 2, 10, 12 are objected to because of the following informalities: the claimed limitation "(variables **and/or** callback functions)" is improper format due to parenthesis. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 14, 15, and 16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one

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skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

- In regards to claim 14, the claimed limitation “parent widget” is not described in the specification, and therefore does not enable one skilled in the art to make and/or use the invention.
 - In regards to claim 15, the claimed limitation, “automatic rule” is not described fully in the specification, and therefore does not enable one skilled in the art to make and/or use the invention.
 - In regards to claim 16, is dependent on claim 15, and therefore does not enable one skilled in the art to make and/or use the invention.
6. The following is a quotation of the second paragraph of 35 U.S.C. 112:
- The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
7. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.
8. Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims that are not specifically mentioned incorporate the same deficiencies of the claim of which it depends.
- In regards to claim 1, the claimed limitation, “(variables **and/or** callback functions)” is indefinite to which combination applicant claims.

- In regards to claim 3, the claimed limitation, "the possibilities" is indefinite as to what possibilities the applicant claims.
 - In regards to claim 4, the claimed limitation, "the possibilities" is indefinite as to what possibilities the applicant claims.
 - In regards to claim 5, the claimed limitation, "the default said dynamic links for newly implemented said data is indefinite due to proper grammatical structure.
 - In regards to claim 7, the claimed limitation, "previously established said dynamic links and/or the widget attributes" is indefinite due to proper grammatical structure and is indefinite to which combination applicant claims.
 - In regards to claim 8, the claimed limitation, "previously established said dynamic links **and/or** the widget attributes" is indefinite due to proper grammatical structure and is indefinite to which combination applicant claims.
 - In regards to claim 13, the claimed limitation, "the support of widget library, designed to work with said dynamic links" is indefinite due to proper grammatical structure.
 - In regards to claim 17, the claimed limitation, "comprising the run time creation of new and modification of existing widgets including their associations with the callback functions" is indefinite due to proper grammatical structure to which creation; new widgets or new callback functions.
9. Claim 2 recites the limitation "said data" in line 2. There is insufficient antecedent basis for this limitation in the claim.

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10. Claim 3 recites the limitation "the possibilities" in line 1. There is insufficient antecedent basis for this limitation in the claim.

11. Claim 4 recites the limitation "the possibilities" in line 1. There is insufficient antecedent basis for this limitation in the claim.

12. Claim 5 recites the limitation "the default said dynamic links" in line 1 and "said data" in line 2. There is insufficient antecedent basis for this limitation in the claim.

13. Claim 6 recites the limitation "the change of default attributes" in line 1. There is insufficient antecedent basis for this limitation in the claim.

14. Claim 7 recites the limitation "the widget attributes" in line 3. There is insufficient antecedent basis for this limitation in the claim.

15. Claim 8 recites the limitation "the replacement" in line 1. There is insufficient antecedent basis for this limitation in the claim.

16. Claim 10 recites the limitation "the GUI's element" in line 1 and "the slider type element" in line 3. There is insufficient antecedent basis for this limitation in the claim.

17. Claim 11 recites the limitation "the recording/replaying functionality" in line 1 and "convertible GUI" in line 2. There is insufficient antecedent basis for this limitation in the claim.

18. Claim 12 recites the limitation "the same GUI" in line 3. There is insufficient antecedent basis for this limitation in the claim.

19. Claim 13 recites the limitation "the support of widget library" in line 1. There is insufficient antecedent basis for this limitation in the claim.

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20. Claim 14 recites the limitation "the automatic recalculation" in line 1 and "its parent widget" in line 3. There is insufficient antecedent basis for this limitation in the claim.

21. Claim 15 recites the limitation "the automatic rule" in line 1 and "replaced widget" in line 2. There is insufficient antecedent basis for this limitation in the claim.

22. Claim 16 recites the limitation "the customization of rules" in line 1, "said rule" in line 2 and "replaced widget" in line 3. There is insufficient antecedent basis for this limitation in the claim.

23. Claim 17 recites the limitation "the run time" in line 1, "said rule" in line 2 and "the callback functions" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claim 1-4, 6, 7, 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Frank et al. (hereinafter Frank), US 2003/0159129.

- In regards to claim 1, Frank teaches a method of managing graphical user interfaces associated with application programs operable on a computing device having a visual display device and a user input device for controlling a pointer on

said display device, said graphical user interfaces having a plurality of windows containing widgets for visualization and manipulation of application program data (variables and/or call\back functions) (page 6 paragraph [0067]).

- In regards to claim 2, Frank teaches the above limitations (see claim 1 *supra*). Frank further teaches comprising the usage of dynamic links (connections) between said data and their corresponding representations (widgets) in the graphical user interface (page 5 paragraphs [0058] and [0059]).
- In regards claim 3, Frank teaches the above limitations (see claim 1 *supra*). Frank further teaches comprising the possibilities to create new, remove or replace existing dynamic links (page 5 paragraphs [0058] and [0059]).
- In regards claim 4, Frank teaches the above limitations (see claim 1 *supra*). Frank further teaches comprising the possibilities for GUI modification during an execution of said application programs (page 6 paragraph [0067], wherein when the display is changed the GUI is modified).
- In regards claim 6, Frank teaches the above limitations (see claim 1 *supra*). Frank further teaches comprising the change of default attributes for widgets used by said dynamic links (page 6 paragraphs [0066-0067]).
- In regards claim 7, Frank teaches the above limitations (see claim 1 *supra*). Frank further teaches comprising read/write procedures for previously established said dynamic links and/or the widget attributes (page 6 paragraphs [0066-0067]).

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- In regards claim 14, Frank teaches the above limitations (see claim 1 *supra*). Frank further teaches comprising the automatic recalculation of coordinates and sizes for widget during resizing of its parent widget (page 6 paragraphs [0066-0067]).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

13. Claims 5, 8, 9, 13, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frank in view of McLean 2002/0099456.

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- In regards to claim 5, Frank teaches the above limitations (see claim 1 *supra*). However, Frank does not specifically teach comprising the default said dynamic links for newly implemented said data.

McLean teaches a user interface apparatus for enabling a user to communicate with a processor-controlled machine. McLean further teaches comprising the default said dynamic links for newly implemented said data (page 5 paragraphs [0068 and 0069]). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and apparatus of Frank to include the teachings of McLean in order to have default dynamic link settings. One would have been motivated to make such a combination in order simplify selection for the user by having default settings for the dynamic links.

- In regards to claim 8, Frank teaches the above limitations (see claim 1 *supra*). However, Frank does not specifically teach comprising the replacement of a widget in said dynamic link by another widget from a predefined list.

McLean teaches the above limitations (see claim 5 *supra*). McLean further teaches comprising the replacement of a widget in said dynamic link by another widget from a predefined list (page 8 paragraph [0091]). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and apparatus of Frank to include the teachings of McLean in order to have a preferred list of widgets set for a dynamic link. One would have been motivated to make such a combination in order simplify selection for the user by having preferred widget settings for the dynamic links.

- In regards to claim 9, Frank teaches the above limitations (see claim 1 *supra*). However, Frank does not specifically teach wherein said predefined list is constructed according to the type of data associated with the said dynamic link. McLean teaches the above limitations (see claim 5 *supra*). McLean further teaches wherein said predefined list is constructed according to the type of data associated with the said dynamic link (page 8 paragraph [0091]). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and apparatus of Frank to include the teachings of McLean in order to have a preferred list of widgets set for a dynamic link. One would have been motivated to make such a combination in order simplify selection for the user by having preferred widget settings for the dynamic links.
- In regards to claim 13, Frank teaches the above limitations (see claim 1 *supra*). However, Frank does not specifically teach comprising the support of widget library, designed to work with the said dynamic links. McLean teaches the above limitations (see claim 5, 8 and 9 *supra*). McLean further teaches comprising the support of widget library, designed to work with the said dynamic links (page 7 paragraph [0088] and [0089]). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and apparatus of Frank to include the teachings of McLean in order have support of a widget library. One would have been motivated to make such a combination in order to have a library with which to designate widgets to dynamic links.

- In regards to claim 15, Frank teaches the above limitations (see claim 1 *supra*). Frank further teaches comprising based conversion of attributes of the automatic rule replaced widget (page 6 paragraphs [0066-0067]).
 - In regards to claim 16, Frank teaches the above limitations (see claim 1 *supra*). Frank further teaches comprising the customization of rules for said rule based conversion of attributes of replaced widget (page 6 paragraphs [0066-0067]).
14. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Frank.
- In regards to claim 10, Frank teaches the above limitations (see claim 1 *supra*). However, Frank does not specifically teach wherein the GUI's element (widget) representing an integer editable limited value can be converted into the slider type element (widget). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the use of a slider type element to manipulate the displayed widgets' values in order to size and place them accordingly (page 6 paragraphs [0067] and [0068]).
15. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frank in view of Kashiwagi et al (hereinafter Kashiwagi) US 6577319.
- In regards to claim 11, Frank teaches the above limitations (see claim 1 *supra*). However, Frank does not specifically teach comprising the recording/replaying functionality for user's interaction with convertible GUI. Kashiwagi teaches a method for controlling data display. Kashiwagi further teaches comprising the recording/replaying functionality for user's interaction with

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convertible GUI (column 10 line 37- column 11 line 30). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and apparatus of Frank to include the teachings of Kashiwagi in order to record/replay the user's interaction with the GUI. One would have been motivated to make such a combination in order to keep and view of a history of all interactions with GUI.

- In regards to claim 12, Frank teaches the above limitations (see claim 1 *supra*). However, Frank does not specifically teach wherein a prerecorded sequence of said user's interaction for any initial state of GUI can be replayed for any new (converted) state of the same GUI.

Kashiwagi teaches a method for controlling data display. Kashiwagi further teaches wherein a prerecorded sequence of said user's interaction for any initial state of GUI can be replayed for any new (converted) state of the same GUI (column 10 line 37- column 11 line 30). It would have been obvious to one of ordinary skill in the art at the time of the invention for the same reasons stated above (see claim 11 *supra*).

16. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Frank and McLean as applied to claims 5, 8, 9, 13, 15 and 16 above, and further in view of Logston et al, (hereinafter Logston) US 2004/0236860.

Frank teaches the above limitations (see claim 1 *supra*). McLean teaches the above limitations (see claims 5, 8, 9, and 13 *supra*). However Frank and McLean do not

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specifically teach comprising the run time creation of new and modification of existing widgets including their associations with the callback functions.

Logston teaches a method and apparatus for balancing distributed applications.

Logston further teaches comprising the run time creation of new and modification of existing widgets including their associations with the callback functions (page 8 paragraph [0090] and page 15 paragraph [0137]). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and apparatus of Frank and McLean to include the teachings of Logston in order to modify the existing widgets and their callback functions. One would have been motivated to make such a combination in order to further manipulate and modify the existing widgets according to the user's specific needs.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ford teaches a configurable runtime graphical user interface widget management. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shashi K. Becker whose telephone number is 571-272-8919. The examiner can normally be reached on Mon-Fri 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SKB

BA HUYNH
PRIMARY EXAMINER